

REMARKS

This Amendment responds to the Office Action dated April 21, 2006 in which the Examiner partially acknowledged applicant's priority, objected to the disclosure and claim 2, objected to claims 3, 11-14, 17 and 18, provisionally rejected claims 1-9, stated that claims 1-9 would be allowable and objected to claims 10-18 as being dependent upon a rejected base claim but would be allowable if rewritten in independent form.

Applicant notes that all priority documents have been filed. Applicant claims priority from JP 2003-353924, a copy of which was filed on December 2, 2003. A copy of the postcard is attached. The second priority document is JP 2002-364099, which was filed in the parent application and acknowledged in the Notice of Allowance issued in the parent application dated November 9, 2005 (Paper No. 20051025). Therefore, applicant respectfully requests the Examiner acknowledge receipt of all priority documents, since the priority document for the parent application was filed in the parent application and acknowledged. No English translation of the priority document is necessary, since no interference has been declared. Therefore, applicant respectfully requests the Examiner acknowledge the priority to the parent application.

As indicated above, a minor informality in the disclosure has been corrected. Therefore, applicant respectfully requests the Examiner withdraws the objection to the disclosure.

As indicated above, minor informalities in claim 2 have been corrected. Additionally, minor informalities in claims 3, 11-14, 17 and 18 have also been

corrected. Therefore, applicant respectfully requests the Examiner withdraws the objection to claims 2-3, 11-14 and 17-18.

Claims 1-2 were provisionally rejected on the grounds of non-statutory double patenting over claims 1-9 of copending Application No. 10/611,172. Additionally, claims 3-9 were provisionally rejected on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 3-9 of copending Application No. 10/611,172.

Applicant respectfully traverses the Examiner's provisional rejection of the claims. Applicant respectfully points out that parent Application No. 10/611,172 was abandoned by failure to pay the issue fee. A Notice of Abandonment was issued by the Patent Office on April 10, 2006. Therefore, since the parent application 10/611,172 is now abandoned, applicant respectfully requests the Examiner withdraws the provisional rejection to claims 1-9.

Since objected to claims 10-18 depend from allowable claims, applicant respectfully requests the Examiner withdraws the objection thereto.

The prior art of record, which is not relied upon, is acknowledged. The references taken singularly or in combination do not anticipate or make obvious the claimed invention.

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is respectfully requested to contact, by telephone, the

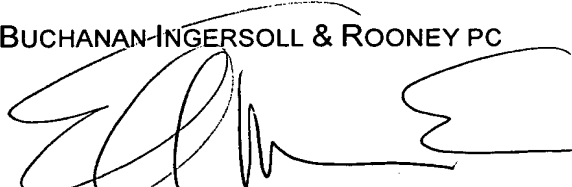
applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, applicant respectfully petitions for an appropriate extension of time. The fees for such extension of time may be charged to our Deposit Account No. 02-4800.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 02-4800.

Respectfully submitted,

BUCHANAN-INGERSOLL & ROONEY PC

A handwritten signature in black ink, appearing to read 'EMAS', is written over a horizontal line.

By:

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Date: July 21, 2006

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